

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42482 of 2019

Arising Out of PS. Case No.-122 Year-2019 Thana- KRITYANAND NAGAR District-
Purnia

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1. Chullu Hansda Son of Sri Thakur Hansda, Resident of Village - Devaki Mohanpur, P.S.- K. Nagar (Maranga), District - Purnea.
 2. Dinesh Hansda Son of Sri Thakur Hansda, Resident of Village - Devaki Mohanpur, P.S.- K. Nagar (Maranga), District - Purnea.
 3. Dhena Hansda @ Dena Hansda Son of Sri Thakur Hansda, Resident of Village - Devaki Mohanpur, P.S.- K. Nagar (Maranga), District - Purnea.

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Amit Kumar Anand, Advocate
For the Opposite Party/s : Mr.Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 01-10-2019 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners in the present case are seeking anticipatory
bail in connection with K. Nagar (Maranga) P.S. Case No. 122 of
2019 registered for the offences punishable under Sections 302
and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that there is
no eye witness to the alleged occurrence and these petitioners have
falsely been implicated because there is said to be a land dispute
between the parties.

Learned A.P.P. for the state has submitted that from the
case diary that there was a land dispute between these petitioners
on the one hand and the informant and the deceased on the other



hand. The deceased had made his own house on the disputed piece of land which these petitioners were claiming and over the said dispute a quarrel had taken place on 02.04.2019 between the parties but then the co-villagers had fixed a *Panchayati* to be held on 03.04.2019 to resolve the dispute. In the meantime, in the night of 02.04.2019 the son of the informant is said to have killed by pressing his neck.

In the given facts and circumstances of the case, there materials are said to be collected by the Investigating Officer suggesting that there was a serious dispute between the parties over a piece of land and on 02.04.2019, there has been a quarrel between the parties which the co-villagers had also seen and in which these petitioners are said to have threatened the deceased of dire consequences and on the same night the victim was killed, this Court is not willing to extend the privilege of anticipatory bail to the petitioners. The application is dismissed.

In case the petitioners surrender and pray for regular bail in the court below, their prayer for regular bail shall be considered on their own merit without being prejudiced by the order of this Court.

(Rajeev Ranjan Prasad, J)

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